GOVERNMENT OF INDIA
FINANCE
LOK SABHA

UNSTARRED QUESTION NO:1107
ANSWERED ON:24.10.2008
ILLEGAL TRANSACTION OF FOREIGN EXCHANGE
Prasad Shri Hari Kewal;Vasava Shri Mansukhbhai D.

Will the Minister of FINANCE be pleased to state:

(a) whether there have been cases where persons found involved in the illegal transaction of foreign exchange went scot-free;

(b) if so,the details thereof during the last three years and the current year and the reasons therefor;

(c) whether the Government proposes to amend the laws in this connection;and

(d) If not,the reaction of the Government in this regard?

Answer

MINISTER OF STATE IN THE MINISTRY OF FINANCE(SHRI S.S. PALANIMANICKAM)

(a) & (b) No,Sir.However,in those cases,in which consequent to adjudication proceedings conducted under Foreign Exchange Management Act(FEMA),the Adjudicating Authority does not come to a conclusion of guilt attributable to the Noticee,appropriate orders of acquittal are passed.The details are as under:

Period	Total number of cases in which the noticees were acquitted bv the Adjucating Authoritv
2005-06	87
2006-07	24
2007-08	05
2008-09 (up to Sep 2008)	116

(c) & (d) No,Sir.The adjudicating authorities take appropriate decision in each case based on the evidence on record.Moreover,the order of the adjudicating Authority is duly reviewed in the Directorate of Enforcement under the Department of Revenue and wherever so necessary,Revision Petition is filed against such adjudication order before the Appellate Tribunal for Foreign Exchange.In view of the foregoing,there appears to be no further action required to be taken by the Government.